

July 25, 2018

CENIC Attn: Edwin Smith 16700 Valley View, Ste 400 La Mirada, CA 90638

RE: Request for Waiver of Implementation Deadline for Fiber Special Construction -- CENIC and River's Edge Community Day, Hoopa Valley High and Trinity Valley Elementary School Fiber Project.

## Dear Edwin Smith:

Hunter Communications, Inc ("Hunter") is excited about the opportunity to bring fiber-optic facilities to Hoopa, California, to deliver world class Ethernet-transport services connecting schools in the area (Hoopa Valley High, Trinity Valley Elementary, and Rivers Edge Community Day School). CENIC has contracted with Hunter Communications, via RFP process, to build, operate, and maintain fiber infrastructure and services to these schools. Hunter is committed to our relationship with CENIC and looks forward to the opportunity to work together in this endeavor.

Hunter would like to request a timeline extension. To support this, we have provided a summary of the construction conditions of this project, which we feel are unique and challenging to the point where the requested extension is necessary and appropriate. Please see a summarized outline of those details below:

## Construction Season

Generally, we run into a window between winter weather conditions and fire season. Both are a concern in this area as mountainous and wooded areas are present. In the winter, Hunter must transport construction equipment from Southern Oregon passing through mountainous areas where snow accumulation can present transportation delays and safety concerns (i.e. Siskiyou Pass). More significantly, our region (Central Oregon to Northern California) has been devastated with one of the most severe fire seasons our region has ever encountered. This has caused problems in numerous ways. Hunter has had setbacks and had to take precautions due to construction crews having to work outside in very unhealthy air quality conditions (the worst in the nation, according to news outlets). We have experienced delays as we have been forced to reallocate resources to perform emergency repairs on miles of fire damaged fiber plant. With regional fires uncontained and danger remaining at extreme levels, we have to be realistic about the conditions in which our crews are working, and additional time to complete the project will be required. Fires constitute a force majeure event, as an act of nature, outside of Hunter's reasonable control.

## Permitting

In addition to delays caused by fires and seasonal obstacles, permitting has been the primary impediment to our progress, albeit we are very close to resolution. This installation has required joint-use permitting to attach to existing utility poles. That process was started and actively pursued since August of 2016. Hunter finally, very recently, received approval to attach and has begun constructing, but the long permitting process caused unforeseen delays in commencement of construction.

This installation is taking place in environmentally and historically sensitive areas and has been subjected to a high level of review from the Hoopa Valley Tribe. We are told that once Tribal Council approves a Right of Way agreement for Hunter, we shall be permitted to build through lands controlled by the Hoopa Valley Tribe. We have met every requirement that they have presented. They have drafted the Agreement, and it is now going to Tribal Counsel for approval. Once that step is done Hunter will have everything we need to complete construction.

Having mentioned these concerns, Hunter is still hopeful and optimistic regarding this project and committed to its completion once the funding is approved and the timeline extension period is granted. Please feel free to contact our excellent support team for this project (primary contact listed below) with any questions or additional comments. Please let us know if there is anything we can do to assist in your communications with the FCC, and/or USAC in obtaining necessary approvals for funding and timeline for construction.

Sincerely,

Jessica Woods

**ERATE Manager & Operations** 

jwoods@hunterfiber.com|541-414-1357